



January 28, 2002

Attorney General John Ashcroft, DOJ
950 Pennsylvania Avenue, NW
Washington, DC
20530

Dear AG Ashcroft,

While I agree that this settlement appears better than a perpetuation of this ill-advised lawsuit, I believe that the settlement goes too far. In spite of the fact that Microsoft has agreed to its terms, I do not see the necessity of forcing them to release any more of their source code to developers than they had previous to the suit. This code is proprietary and Microsoft is entitled to keep it so.

This consideration aside, I am at least pleased that the lawsuit and all that it entailed will soon be over. On the whole, however, I am hopeful that our government will not be as quick to interject itself into the private marketplace in the future as it has here. If Microsoft supports this suit, than I will.

I am appreciative of the opportunity afforded me to voice my opinion of this settlement, and I must stress here that this opinion is my own. However, the issue of forcing a company to relinquish even a small piece of its proprietary intellectual property, simply because its competitors cannot develop better products on their own, is of some concern.

Sincerely,

A handwritten signature in cursive script, appearing to read "Charlie Butler".

Charlie Butler
Sr. Exchange Engineer
Agilera, Inc.

Cc: Senator Strom Thurmond

1400 Browning Road
Suite 150
Columbia, South Carolina 29210

PHONE 803.779.1800
www.agilera.com